

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALICIA VELASQUEZ, et al.,	:	
	:	
Plaintiffs,	:	
	:	20 Civ. 4208 (LGS)
-against-	:	
	:	<u>ORDER</u>
LITIES CORP., et al.,	:	
	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on December 10, 2020, the Court issued an Oral Opinion concerning Plaintiffs “Motion for Conditional Collective Certification and Facilitation of Notice Pursuant to 29 U.S.C. § 216(b) (*see* Dkt. Nos. 37, 38). It is hereby

**ORDERED** that conditional certification is GRANTED as to a collective defined as follows:

Current and former non-exempt dishwashers, deliverymen, pizza-men, cooks, waiters/waitresses, cashiers, and managers employed at any time from June 2, 2017, to the present by: (1) Lities Corp. d/b/a Munch Time Diner and (2) Karikan Donut Corp. d/b/a Munch Time Diner, both located at 21 E 170th St., Bronx, NY 10452.

The opt-in period shall be 60 days. These modifications shall be reflected in the Notice of Pendency and Consent to Sue forms. It is further

**ORDERED** that, by **December 21, 2020**, Defendants shall provide to Plaintiffs a computer-readable list naming each potential member of the collective, including as to each the following information to the extent it is available: name, email address, last known mailing address, alternate address, telephone number, job title and dates of employment. It is further

**ORDERED** that Plaintiffs shall provide notice by U.S. mail, and in the alternative by email. Defendants shall also post the notice in a conspicuous location at Defendants’ restaurant.

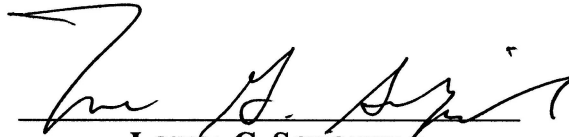
The parties shall meet and confer to discuss where notice and the accompanying consent forms will be posted. It is further

**ORDERED** that consent forms shall be sent to Plaintiffs' counsel. It is further

**ORDERED** that the deadline for fact discovery is hereby extended from February 17, 2021, to **March 17, 2021**, solely to permit discovery of opt-in Plaintiffs during the extended period. For clarity, discovery of the five named Plaintiffs and Defendants shall be completed by **February 17, 2021**, and only discovery concerning opt-in Plaintiffs may take place after that date up to and including **March 17, 2021**. A Second Amended CMP will issue separately reflecting updated deadlines.

The Clerk of Court is respectfully directed to close the open motions at Dkt. Nos. 37 and 38.

Dated: December 11, 2020  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**